

Appl. No. : 10/810,990  
Filed : March 26, 2004

## REMARKS

Claims 1-18 and 20 were pending before the Examiner. No claims have been amended or canceled in this paper.

### *Examiner's Request for Specific References to the Specification*

The Examiner indicated Applicants' comments filed April 30, 2006 to be persuasive, but requested references to specific sections of the specification to support the arguments pertaining to the patentability of Claims 1, 10, and 14. Accordingly, Applicants provide the following specific references to the specification.

### Regarding Applicants' Prior Discussion of Claim 1:

As previously indicated, Claim 1 of the present application recites the steps of "positioning a patch across an opening of the left atrial appendage" and "securing the patch at one or more locations surrounding the opening of the left atrial appendage." Applicants note that these limitations, and Applicants' comments thereon are supported in at least paragraphs 0053, 0096, 0106-0109, and Figures 16-17 of the application as filed.

### Regarding Applicants' Prior Discussion of Claim 10:

As previously noted, Claim 10 of the present application recites the steps of "delivering . . . anchors into tissue surrounding the opening of the left atrial appendage . . . wherein the anchors remain engaged in the tissue surrounding the opening following removal of the delivery catheter." Applicants note that these limitations, and Applicants' comments thereon are supported in at least paragraphs 0089-0105, Figures 7-11, and Figures 13-15 of the application as filed.

### Regarding Applicants' Prior Discussion of Claim 14:

As previously noted, Claim 14 of the present application recites a method of closing an opening in a patient including the steps of "delivering the [first and second] tissue engagement structures to the opening using a delivery catheter . . . wherein the tissue engagement structures remain engaged with the tissue adjacent the opening following removal of the delivery catheter."

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Applicants note that these limitations, and Applicants' comments thereon, are supported in at least paragraphs 0089-0105, Figures 7-11, and Figures 13-15 of the application as filed.

While the above specific references to the application provide support for the claimed embodiments, Applicants note that the scope of the claimed inventions should not be limited by reference solely to the cited portions of the application. Rather, Applicants reiterate that, as stated in paragraph 0116 of the specification as filed, although the present invention has been described in terms of certain preferred embodiments, other embodiments will become apparent to those of skill in the art in view of the disclosure of the application.

*Previously Submitted Information Disclosure Statement*

Upon review of the prosecution of this application, Applicants note that an Information Disclosure Statement submitted on October 26, 2005 does not yet appear to have been considered by the Examiner. Enclosed herewith is a courtesy copy of this Information Disclosure Statement for consideration by Examiner.

In light of the above discussion, Applicants submit that Claims 1-18 and 20 are in condition for allowance and respectfully request that Examiner find that the Response to Office Action filed April 30, 2006, in view of the above discussion, is fully responsive to the prior Office Action. Applicants believe no fees are due with the filing of this paper. However, should any additional fees be due, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

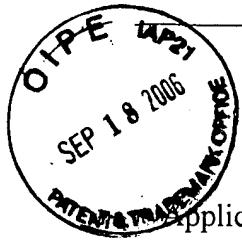
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9/3/2006

By: 

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## INFORMATION DISCLOSURE STATEMENT

Applicant : Chad C. Roue et al.  
 App. No : 10/810,990  
 Filed : March 26, 2004  
 For : METHOD OF CLOSING AN  
       OPENING IN A WALL OF THE  
       HEART  
 Examiner : Manuel A. Mendez  
 Art Unit : 3763

**COPY**

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 26, 2005

*(Signature)*  
 Sabing H. Lee, Reg. No. 43,745

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**COPY**  
 Previously filed 10/26/05

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 2 references to be considered by the Examiner.

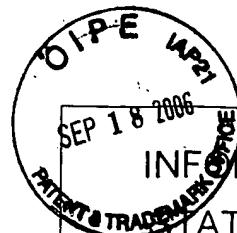
This Information Disclosure Statement is being filed before the mailing date of a final action and before the mailing of a Notice of Allowance. This Statement is accompanied by the fees set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 10-26-05 By: \_\_\_\_\_

*(Signature)*  
 Sabing H. Lee  
 Registration No. 43,745  
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PTO/SB/08 Equivalent

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application No.	10/810,990
		Filing Date	March 26, 2004
		First Named Inventor	Chad C. Roue. et al.
		Art Unit	3763
(Multiple sheets used when necessary)		Examiner	Manuel A. Mendez
SHEET 1 OF 1		Attorney Docket No.	MVMDINC.5P2D2C

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	5,709,707	01-20-1998	Lock et al.	
	2	6,132,438	10-17-2000	Fleischman et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
					T <sup>1</sup>

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			

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Examiner Signature	Date Considered
<b>*Examiner:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

 T<sup>1</sup> - Place a check mark in this area when an English language Translation is attached.